

REMARKS/ARGUMENTS

Favorable consideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-31 are presently pending in this application, Claims 1, 2, 12, 13, 16 and 25-29 having been amended by the present amendment.

In the outstanding Office Action, Claims 1-31 were rejected under 35 U.S.C. §102(b) as being anticipated by JP 8-78798 (hereinafter "JP '798"); and Claims 1-31 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over co-pending application 10/158,570 or 10/159,053.

The present abstract of the disclosure has been replaced with a new abstract which is believed to be more descriptive and consistent with the pending claims.

Also, Claims 1, 2, 12, 13, 16 and 25-29 have been amended solely to clarify the subject matter recited therein. These claim amendments are believed to be merely cosmetic and thus are not believed to narrow the original scope of the claims. If, however, the Examiner disagrees, the Examiner is invited to telephone the undersigned who will be happy to work in a joint effort to derive mutually satisfactory claim language.

Briefly recapitulating, Claim 1 of the present invention is directed to a composite magnetic material including a resin and generally spherical magnetic metal particles of at least one type dispersed in the resin and consisting essentially of single crystal grains, the metal particles having a mean particle size of 0.1 to 10 μm and each having an insulating coating layer at least partially coated thereon. By providing such metal particles, the composite magnetic material exhibits improved insulation resistance, withstands voltage, and eliminates corrosion and rust problems more effectively.¹

¹ See Specification, page 13, lines 5-22.

The outstanding Office Action asserts that JP '798 discloses a composite magnetic material as recited in Claim 1. Nevertheless, JP '798 does not teach "generally spherical magnetic metal particles of at least one type dispersed in the resin and consisting essentially of single crystal grains, the metal particles having a mean particle size of 0.1 to 10 μm and each having an insulating layer at least partially coated thereon" as recited in Claim 1. On the other hand, JP '798 merely discloses the insulating layer 3 in which magnetic metal particles are simply mixed and dispersed therein. As such, the JP '798 magnetic metal particles dispersed in the insulating layer 3 do not have an insulating layer coated thereon, i.e., an insulating coating separate from the insulating layer 3 itself but individually coating each particle. Therefore, the structure recited in Claim 1 is believed to be distinguishable from JP '798, and thus is not anticipated thereby.

The Office Action further asserts that that the structure recited in Claim 1 is rendered obvious based on Claims 9-23 of the co-pending application, 10/158,570, and Claims 19-21 of the co-pending application, 10/159,953, under the judicially created doctrine of the obviousness-type double patenting. It is, however, respectfully submitted that the co-pending applications, 10/158,570 and 10/159,953, are not believed to teach "generally spherical magnetic metal particles of at least one type dispersed in the resin and consisting essentially of single crystal grains, the metal particles having a mean particle size of 0.1 to 10 μm and each having an insulating layer at least partially coated thereon" as recited in Claim 1. On the other hand, Claims 9-23 of the co-pending application, 10/158,570, are directed to single crystal ceramic powders, and Claims 19-21 of the co-pending application, 10/159,953, are directed to magnetic metal powders. Thus, Applicants respectfully submit that the structure recited in Claim 1 is believed to be patentably distinguishable from the co-pending applications, 10/158,570 and 10/159,953.

Likewise, independent Claims 12, 25, 27 and 28 include subject matter substantially similar to what is recited in Claim 1 to the extent discussed above. Thus, Claims 12, 25, 27 and 28 are also distinguishable from JP '798 and the co-pending applications, 10/158,570 and 10/159,953.

For the foregoing reasons, Claims 1, 12, 25, 27 and 28 are believed to be allowable. Furthermore, since Claims 2-11, 13-24, 26 and 29-31 ultimately depend from one of Claims 1, 12, 25, 27 and 28, substantially the same arguments set forth above also apply to these dependent claims. Hence, Claims 2-11, 13-24, 26 and 29-31 are believed to be allowable as well.

In view of the amendments and discussions presented above, Applicants respectfully submit that the present application is in condition for allowance, and an early action favorable to that effect is earnestly solicited.

Finally, the attention of the Patent Office is directed to the change of address of Applicants' representative, effective January 6, 2003:

Oblon, Spivak, McClelland, Maier & Neustadt, P.C.

1940 Duke Street

Alexandria, VA 22314.

Please direct all future communications to this address.

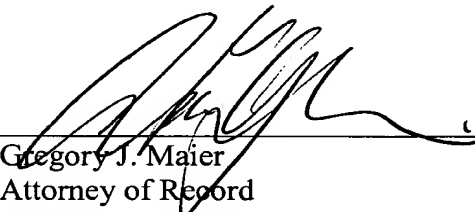
Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
GJM/AY:fm
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Gregory J. Maier
Attorney of Record
Registration No. 25,599

Akihiro Yamazaki
Registration No. 46,155